

the petition of the complainant, Shipley, for that purpose, passed the following order :

“The petition of Larkin Shipley, filed on the 10th instant, standing for hearing on this day, and no cause having been shown to the contrary, according to the order passed on the said 10th instant, it is ordered that the said mortgages in the said petition mentioned, be forthwith closed, and that the said Larkin Shipley have leave to cause a suit or suits to be instituted for that purpose in the names of the said trustees, in such manner as may be most proper, necessary, and beneficial to him, and it is further ordered, that the said trustees proceed forthwith to invest the moneys now in court, so far as the same may be principal, in the public stock of the corporation of the city of Baltimore, the said stock to stand in their names, as trustees, but in such a manner that the said Larkin Shipley may, during his life, receive the interest or dividends thereon directly from the proper officer of the said corporation, without his having in any manner the control of the said stock, provided it can be so entered on the books of the said corporation, and if the entry cannot be so made, the said trustees are hereby directed to leave with the proper officer a general authority for the said Larkin to receive the said dividends or interest during his life, and the said trustees shall bring into this court the certificates of the said stock, there to remain until further order.”

An original bill was then filed by Shipley and Wayman against Stockett, for the foreclosure of the mortgage executed by him to the testator, Larkin Shipley, deceased. Previous, however, to action on this bill, the Chancellor, (*Johnson*,) on the 27th of July, 1847, delivered the following opinion upon exceptions filed by Stockett to the Auditor's report, of the 8th of July, 1847.]

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THE CHANCELLOR :

In this case, exceptions having been filed to the report of the Auditor of the 8th of July last, by Richard G. Stockett, and the same having been argued by the counsel of the parties, they have received due consideration from the Chancellor. Those